

1 (D) REMARKS, DRAWING AMENDMENTS

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3 RESPONSE TO ACTION PARA. 1, 2: REJECTION UNDER SEC. 103

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5 Claims 1 - 20 are rejected as obvious with respect to U.S. Pat. No. 6,556,470 in view of U.S.

6 Pat. No. 6,429,422.

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8 The present invention is U.S. Appl. No. 10/051,669, **filed on January 1, 2002**, by **Kent Vincent**

9 et al., assignors to **Hewlett-Packard Company** (Reel 012998, Frame 0093, recorded

10 06/05/2002),

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12 The primary reference cited is U.S. Pat. No. 6,556, 470, **filed on July 31, 2001**, by **Kent**

13 **Vincent et al.**, assignors to **Hewlett-Packard Company** (Reel 012515, Frame 0849, recorded

14 01/23/02) (hereinafter "Vincent '470"). This HP patent was **issued**, and thus first printed and

15 published, **April 29, 2003**.

16

17 The law is clear. The present invention was not *known or used by others*, nor *patented or*

18 *described in a printed publication* (Sec. 102(a)), nor *patented or described in a printed*

19 *publication...or in public use or on sale...more than one year prior to the date of the application*

20 *(Sec. 102(b))*, nor *abandoned* (Sec. 102(c)), nor *first patented or caused to be patented, or...the*

21 *subject of an inventor's certificate by the applicant...in a foreign country on an application ...filed*

22 *more than twelve months before* (Sec. 102(d)), nor *an application...published...by*

23 *another...before the invention by the applicant* (Sec. 102(e)(1)), nor *in...a patent granted on an*

24 *application for patent by another filed in the US before the invention by the applicant...* (Sec.

25 102(e)(2).

26

27 Having been filed merely 5 months apart, by the same inventors, assigned to the same entity,

28 and having been published more than a year after the filing of the present application by the

29 same inventors, the Vincent '470 patent is not a proper reference under any statute section of

30 35 U.S.C. nor under the rules of 37 C.F.R..

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1      Withdrawal of the rejections is respectfully requested.

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3      **RESPONSE TO ACTION PARA. 3: REJECTION UNDER SEC. 103**

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5      Claims 21 - 33 are rejected as obvious with respect to U.S. Pat. Appl. Pub. No. 2002/0001032)  
6      in view of Vincent '470. On Page 5, about line 17, claims 34-37 are similarly rejected.

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8      Again, Vincent '470 is an improper reference and withdrawal of the rejections is respectfully  
9      requested.

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11      **SUMMARY AND CONCLUSION**

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13      No further comments are required with respect to the present Office Action in order to  
14      overcome the rejections. The applicant reserves the right without prejudice to present  
15      arguments regarding all references cited, relied upon or not, in the present Action should they  
16      be reasserted by the Patent Office.

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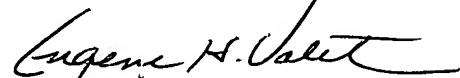
18      Based upon the foregoing, it is submitted that the application now as before presents claims  
19      which are directed to novel, unobvious and distinct features of the present invention which are  
20      an advancement to the state of the art. Reconsideration and early allowance of all claims is  
21      respectfully requested. The right is expressly reserved to reassert any and all arguments,  
22      including the raising of new arguments, should a Notice of Allowance not be forthcoming.

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1      Questions or suggestions that will advance the case to allowance may be directed to the  
2      undersigned by teleconference at the Examiner's convenience.

3      Date: July 24, 2003

4      Respectfully submitted,  
5      Hewlett-Packard Company

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<sup>1</sup> Do not change formal correspondence address; unless PTO/SB/122 is filed herewith, formal correspondence continues to be directed to Hewlett-Packard per the Declaration